



Australian Government

Australian Government response to the
Joint Standing Committee on Aboriginal and Torres
Strait Islander Affairs report:

Inquiry into community safety support services and job
opportunities in the Northern Territory

JUNE 2023

Introduction

The Australian Government welcomes the opportunity to respond to the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs (the Committee's) report into community safety, support services and job opportunities in the Northern Territory (NT), released in March 2023.

The Australian Government notes that the inquiry was referred to the Committee with particular reference to:

- a. The preparation for the sunseting of the Stronger Futures legislation
- b. Community safety and alcohol management
- c. Job opportunities and Community Development Program reform
- d. Justice reinvestment communities services, and
- e. Any related matters.

The Australian Government is working in close partnership with communities and the NT Government to develop community-led solutions that respond to both urgent and long-standing challenges in the jurisdiction.

Following a legislative change to the *Liquor Act 2019 (NT)*, all NT communities, town camps and homelands previously subject to alcohol restrictions under the Stronger Futures legislation are now subject to alcohol restrictions. The NT Government have applied additional time limited takeaway liquor restrictions for Alice Springs.

On 6 February 2023, the Australian and NT Governments announced a \$250 million plan for *A Better, Safer Future for Central Australia*, to improve community safety, tackle alcohol-related harm and provide more opportunities for young people. This package is in addition to a \$48 million investment in community safety announced by the Australian Government on 24 January 2023.

The Australian Government is committed to delivering all work in line with Closing the Gap targets and priority reforms.

The table below summarises the Government's response to each of the 9 recommendations. The Australian Government supports 5 recommendations, notes 4 recommendations.

Recommendation	Government Response
Recommendation 1 The Committee recommends that the National Indigenous Australians Agency and the Northern Territory Department of Chief Minister and Cabinet conduct a review into the inadequate preparations for the sunseting of the Stronger Futures Act, by 31 December 2023, and develop policies to prevent a similar situation from occurring in the future.	The Government notes this recommendation.
Recommendation 2 The Committee recommends that the Northern Territory Government provides adequate support and resources to communities to assist in the development of community alcohol plans under section 170AD of the Liquor Act 2019 (NT).	The Government notes this is a recommendation for the NT Government.

<p>Recommendation 3 The Committee recommends that the Northern Territory Government amends the Liquor Regulation 2019 (NT) to include, as a prescribed matter for paragraph 170AD(1)(d) of the Liquor Act 2019 (NT), a statement to formalise how the community will be able to ask the Minister to exercise their temporary emergency powers to deliver effective responses, and to accurately report outcomes as a consequence of those changes.</p>	<p>The Government notes this is a recommendation for the NT Government.</p>
<p>Recommendation 4 The Committee recommends that the Commonwealth and Northern Territory Government departments and agencies review their funding agreements with service providers to ensure that they are fit-for-purpose, including:</p> <ul style="list-style-type: none"> • Moving towards outcomes-focused funding agreements, rather than output, to provide sufficient flexibility for locally-led approaches to shared outcomes. • Whether there are opportunities to enhance place-based models of funding by supporting collaboration among organisations delivering similar services in the same region. • Embedding holistic health approaches to service provision that will support Aboriginal and Torres Strait Islander communities' social, emotional and cultural wellbeing. 	<p>The Government supports this recommendation.</p>
<p>Recommendation 5 The Committee recommends that the Northern Territory Government work with local communities to prioritise the sharing of real time data and information, with consent, to enable them to deliver initiatives and responses to issues in communities.</p>	<p>The Government notes this is a recommendation for the NT Government.</p>
<p>Recommendation 6 The Committee recommends that, as part of the ongoing review and trials of the CDP and its replacement, the Commonwealth Government:</p> <ul style="list-style-type: none"> • Require providers to undertake community consultation to identify areas of possible employment in their region and tailor participants work and training opportunities towards filling those future jobs. • Provide a mechanism for participants to learn from and gain exposure to successful Aboriginal and Torres Strait Islander people in business. 	<p>The Government supports this recommendation.</p>
<p>Recommendation 7 The Committee recommends that the Commonwealth Government investigates potential policies to stimulate economic activity in remote communities, outside of the CDP, and that the Minister report the findings to the Parliament by the 29 February 2024.</p>	<p>The Government supports this recommendation.</p>
<p>Recommendation 8 The Committee recommends that, by 30 June 2024, the Commonwealth Government develops and implements a policy to ensure large businesses operating in remote regions employ local Aboriginal and Torres Strait Islander Australians and engage Aboriginal and Torres Strait Islander owned and managed businesses.</p>	<p>The Government supports this recommendation in principle.</p>

<p>Recommendation 9 The Committee recommends that the Commonwealth Government implement the community-led justice reinvestment initiatives across Australia, particularly in Alice Springs and Katherine, as soon as possible.</p>	<p>The Government supports this recommendation in principle.</p>
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Recommendation 1

The Committee recommends that the National Indigenous Australians Agency and the Northern Territory Department of Chief Minister and Cabinet conduct a review into the inadequate preparations for the sunseting of the Stronger Futures Act, by 31 December 2023, and develop policies to prevent a similar situation from occurring in the future.

The Government notes this recommendation.

We cannot comment regarding the Northern Territory (NT) Government's position on the recommendation.

The Government notes, the National Indigenous Australians Agency (NIAA) worked with NT counterparts over 18 months leading up to the sunseting of the Stronger Futures Act.

Preparations for the sunseting of the Stronger Futures Act were informed by the NIAA's *Stronger Futures in the Northern Territory: Sunset Review* (<https://www.niaa.gov.au/resource-centre/niaa/stronger-futures-northern-territory-sunset-review>), with all recommendations of the review implemented as far as practicable.

The Government also notes the Committee itself has reviewed the preparation for the sunseting of the Stronger Futures legislation and made recommendations. These recommendations will be implemented as far as practicable and NIAA will continue to work with the NT Government and First Nations communities and organisations on alcohol policy, land reform and food security.

Recommendation 2

The Committee recommends that the Northern Territory Government provides adequate support and resources to communities to assist in the development of community alcohol plans under section 170AD of the Liquor Act 2019 (NT).

The Government notes this is a recommendation for the NT Government.

The Australian Government is committed to addressing harmful alcohol use which can have adverse impacts on First Nations People.

We are working with the NT Government and local communities to respond to challenges in their jurisdiction.

The Government is providing \$14.1 million over two years to assist in the development of community alcohol plans.

This funding will support communities to enhance existing services or develop new activities that range from alcohol and other drug treatment services, social emotional wellbeing activities, or early intervention and diversion programs that are identified as part of community alcohol planning processes. Independent consultants will be funded to support communities with planning.

Funding will also support a public health campaign and an expansion of the NT Government's data portal to enable informed decision-making.

Aboriginal Medical Services Alliance NT (AMSANT) will be offered funding to be a policy and governance partner to lead monitoring and evaluation of associated activities.

Recommendation 3

The Committee recommends that the Northern Territory Government amends the Liquor Regulation 2019 (NT) to include, as a prescribed matter for paragraph 170AD(1)(d) of the Liquor Act 2019 (NT), a statement to formalise how the community will be able to ask the Minister to exercise their temporary emergency powers to deliver effective responses, and to accurately report outcomes as a consequence of those changes.

The Government notes this is a recommendation for the NT Government.

Like all states and territories, the management of alcohol is the responsibility of NT Government. The Government understands NT Government are undertaking the three year review of the *Liquor Act 2019* (NT) (the Act). This review is to determine whether the policy objectives of the Act remain valid and practical and whether the terms of the Act remain appropriate for securing those objectives.

Recommendation 4

The Committee recommends that the Commonwealth and Northern Territory Government departments and agencies review their funding agreements with service providers to ensure that they are fit-for-purpose, including:

- **Moving towards outcomes-focused funding agreements, rather than output, to provide sufficient flexibility for locally-led approaches to shared outcomes.**
- **Whether there are opportunities to enhance place-based models of funding by supporting collaboration among organisations delivering similar services in the same region.**
- **Embedding holistic health approaches to service provision that will support Aboriginal and Torres Strait Islander communities' social, emotional and cultural wellbeing.**

The Government supports this recommendation and will continue to enhance its funding processes to cater to place-based and outcomes-focused approaches, ensuring funding agreements are fit-for-purpose.

This Government notes this work is currently being progressed through the Coordinated Investment Framework (CIF), an agreement between the NT and Commonwealth governments, developed in consultation with the Children and Families Tripartite Forum (Tripartite Forum).

The CIF commits each government to work together to plan, fund and deliver services to prevent harm and improve safety and wellbeing outcomes for children in the NT. The CIF provides key principles and enablers – informed by the Productivity Commission's report on Expenditure in the NT. It includes specific actions on outcomes, regional and place-based funding as well as social, emotional and cultural wellbeing.

In Central Australia, the Government is working closely with the Office of the Central Australian Regional Controller and the Aboriginal Leadership Group to guide investment and policy implementation.

The Government also continues to support the Barkly Region in implementing the Barkly Regional Deal. The Barkly Regional Deal Governance Table is a pilot, place-based governance model that will support local community to drive economic growth and improve social outcomes, with coordinated support from the three tiers of government.

The Government notes this is also a recommendation for the NT Government.

Recommendation 5

The Committee recommends that the Northern Territory Government work with local communities to prioritise the sharing of real time data and information, with consent, to enable them to deliver initiatives and responses to issues in communities.

The Government notes this is a recommendation for the NT Government.

The Government notes the National Agreement on Closing the Gap's Priority Reform Four requires shared access to data and information at a regional level. The Government notes the Closing the Gap Working Group endorsed Maningrida as a place-based partnership and Community Data Project site. The Project will enable First Nations organisations and communities to access and use locally relevant disaggregated data and information in partnership with all levels of government.

The Government is also providing funding to expand the NT Government's data portal to support communities developing community alcohol plans.

Recommendation 6

The Committee recommends that, as part of the ongoing review and trials of the CDP and its replacement, the Commonwealth Government:

- **Require providers to undertake community consultation to identify areas of possible employment in their region and tailor participants work and training opportunities towards filling those future jobs.**
- **Provide a mechanism for participants to learn from and gain exposure to successful Aboriginal and Torres Strait Islander people in business.**

The Government supports this recommendation.

The Government is committed to ensuring appropriate consultations occur throughout the process to replace the Community Development Program (CDP) with a new remote jobs program. CDP providers are required to engage with communities and employers in delivering services, and to identify emerging job opportunities and upcoming skill needs. CDP providers must also deliver training that is individually tailored to the needs of each CDP participant. Recent changes to CDP introduced Trialling Pathways to Real Jobs where providers consulted with relevant communities to obtain support for their trial projects. Providers must continue to consult with community throughout the trial and remaining life of the program.

The Government recognises the benefits of job seekers learning from successful First Nations people in business. The Government will consider this as it redesigns the remote jobs program. This redesign will be informed by the outcomes of the Trialling Pathways to Real Jobs, New Jobs Program Trial, Ngaanyatjarra Lands Trial and stakeholder consultations.

Recommendation 7

The Committee recommends that the Commonwealth Government investigates potential policies to stimulate economic activity in remote communities, outside of the CDP, and that the Minister report the findings to the Parliament by the 29 February 2024.

The Government supports this recommendation.

The Government recognises that business participation and employment are fundamental for First Nations economic security. The Government funds a number of service providers to deliver business support services and improve access to capital for First Nations businesses and entrepreneurs.

Current Government initiatives such as Many Rivers, Indigenous Business Australia's Business Solutions Program and the NT Indigenous Business and Employment Hub will be included in the scope of the review and report provided by 29 February 2024.

The Government has supported the establishment of Northern Territory Aboriginal Investment Corporation (NTAIC), an Aboriginal controlled body established to promote the self-management, economic self-sufficiency and social and cultural wellbeing of Aboriginal people living in the NT. It will shift control and decision making over \$680 million from the Aboriginals Benefit Account from Canberra to the NT. The NTAIC's Aboriginal-led Board will work with First Nations peoples in the NT to support self-determination, strengthen culture and create jobs, businesses and wealth. The NTAIC will be one of the largest commercial bodies in the NT, expected to boost gross regional product by nearly \$500 million out to 2029-2030 by investing in First Nations communities and businesses. The NTAIC's new grants program has opened.

Recognising the opportunities presented by land, in stimulating economic activity in remote communities, the Government funds a national system of 14 Native Title Representative Bodies/Service Providers (NTRB/SPs) to provide assistance to native title claimants and holders under the Native Title Act 1993. NTRBs/SPs provide quality legal and research services to native title claimants and holders, including establishment and support for Prescribed Bodies Corporate (PBCs) and support with Agreement making, and registering Indigenous Land Use Agreements. Around \$110 million is provided to the NTRB/SPs each year. The Government also supports Prescribed Bodies Corporate (PBCs) managing native title rights and interests, to ensure they are well placed to realise their aspirations for land and waters. This includes supporting First Nations peoples with business and employment opportunities. In 2022-2023, around \$12.4 million has been budgeted for operational funding for PBCs and \$15.27 million allocated for PBC capacity building projects nationally.

Approximately 50 per cent of land in the NT, including approximately 84 per cent of the coastline, is inalienable Aboriginal freehold land under the Aboriginal Land Rights (Northern Territory) Act 1976. The Government supports the functions of the four NT Land Councils to consult and represent First Nations people in relation to land use proposals on their land and to support agreement making where First Nations consent is provided. The Government recognises the significant opportunities for First Nations people in the NT to build and leverage their strong land and sea rights for social and economic benefit, and will continue to work in partnership with Land Councils and First Nations people to consider options and system improvements to leveraging these rights to better support community and economic development.

Recommendation 8

The Committee recommends that, by 30 June 2024, the Commonwealth Government develops and implements a policy to ensure large businesses operating in remote regions employ local Aboriginal and Torres Strait Islander Australians and engage Aboriginal and Torres Strait Islander owned and managed businesses.

The Government agrees in principle with this recommendation, noting there are already policies and programs in place to connect local workforces to local opportunities in partnership with large businesses.

For example, the Government has committed to work with the private sector to increase the rate of First Nations employment. Specifically, the Government will work with business to bring employment levels of First Nations working age Australians in our largest 200 companies to levels consistent with share of population by 2030, including through improving access to training and apprenticeships. This includes businesses operating in remote regions of Australia.

The Government is also promoting First Nations employment and supplier use through the following initiatives:

- The Government is strengthening the Indigenous Procurement Policy (IPP) to further stimulate Indigenous entrepreneurship, business and economic development, by providing First Nations people with more opportunities to participate in the economy. The intention of the policy is to increase the rate of purchasing from First Nations enterprises through Commonwealth procurement opportunities, and has two specific provisions within the policy aimed at stimulating Indigenous employment and subcontracting opportunities in remote areas:
 - Commonwealth procuring officers must provide Indigenous organisations with the opportunity to demonstrate value for money for all procurements in remote areas under the mandatory set aside; and
 - All high value contracts (valued at over \$7.5 million in 19 specified industry sectors) are subject to the Mandatory Minimum Indigenous Participation Requirements. This is applied in a flexible manner but generally involves a target of 4 per cent Indigenous participation (through either employment or supplier-use), or higher in remote areas yielding significant Indigenous employment outcomes or Indigenous business opportunities.
- The NIAA recently provided \$10 million in funding for the NT Indigenous Business Network (NTIBN) to deliver the NT Indigenous Business and Employment Hub (NT Hub). The NT Hub has a main office in Darwin, an anchor site in Alice Springs and satellite offices in Katherine and Tennant Creek. The NT Hub will work in close partnership with existing business support services such as Indigenous Business Australia to connect First Nations people to government services, employment and procurement opportunities. The NT Hub will provide wrap-around support including mentorship, business advice, training and access to financial services.
- The Government brought the Aboriginals Benefit Account (ABA) back to the NT as the newly formed NT Aboriginal Investment Corporation (NTAIC). The NTAIC shifts control of decisions about ABA funds into Aboriginal hands and supports Aboriginal businesses and community development throughout the NT.

- The Government is developing initiatives to work with Australia's largest employers to increase public reporting of First Nations employment, including in remote regions.

Recommendation 9

The Committee recommends that the Commonwealth Government implement the community-led justice reinvestment initiatives across Australia, particularly in Alice Springs and Katherine, as soon as possible.

The Government supports this recommendation in principle.

The Australian Government committed \$69 million for a National Justice Reinvestment Program in the October 2022 – 2023 Budget. The commitment is being implemented by the Attorney General's Department and the National Indigenous Australians Agency through a joint First Nations Justice Taskforce. Grant funding will be available from 2022–23 to support up to 30 place based, justice reinvestment initiatives. Communities including Alice Springs and Katherine will be able to apply for funding through an open and transparent process.

The Government committed an additional \$10 million in funding for justice reinvestment initiatives in Central Australia (over four years from 2023-24) in the 2023 – 2024 Budget. This commitment forms part of the Australian Government's \$250 million commitment to implement the plan for *A Better, Safer Future for Central Australia* (announced on 6 February 2023). The funding will be provided through the National Justice Reinvestment Program, and communities in Central Australia will be able to apply for justice reinvestment funding when the Program opens for applications.

National design consultations for the Program commenced in February 2023, and have included engagement with a range of Northern Territory communities including Katherine. Consultations have been at the invitation of community and facilitated by the Jumbunna Institute for Indigenous Education and Research.

Readiness support on justice reinvestment is also being provided to 15 communities, including in Katherine, who have expressed an interest in designing and developing early stage justice reinvestment strategies and plans ahead of a national grant round for justice reinvestment opening later in 2023.

The Australian Government identified Alice Springs as a priority site for investment. Since November 2022 a joint First Nations Justice Taskforce, made up of officers from the Attorney-General's Department and the National Indigenous Australians Agency, has been engaging and working in partnership with Traditional Owners and Aboriginal Community Controlled Organisations in Alice Springs, to establish a justice reinvestment initiative. Through an expression of interest process, requested by the Justice Reinvestment Interim Working Group, an organisation has been identified to undertake the backbone role and establish a plan for justice reinvestment in Alice Springs. The intention is to provide funding for this work this financial year.